

Notice of Allowability

Application No.

10/687,669

Applicant(s)

TAKEUCHI, MITSUO

Examiner

William C. Joyce

Art Unit

3682

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. ☒ This communication is responsive to the telephonic interview of 11/2/06 and the IDS filed 1/18/07.
2. ☒ The allowed claim(s) is/are 1-8.
3. ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
 - a) ☒ All b) ☐ Some* c) ☐ None of the:
 1. ☒ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

* Certified copies not received: _____.

Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.
THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.

4. ☐ A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
 5. ☐ CORRECTED DRAWINGS (as "replacement sheets") must be submitted.
 - (a) ☐ including changes required by the Notice of Draftsperson's Patent Drawing Review (PTO-948) attached
 - 1) ☐ hereto or 2) ☐ to Paper No./Mail Date _____.
 - (b) ☐ including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date _____.
- Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).
6. ☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

Attachment(s)

1. ☐ Notice of References Cited (PTO-892)
2. ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3. ☒ Information Disclosure Statements (PTO/SB/08),
Paper No./Mail Date _____
4. ☐ Examiner's Comment Regarding Requirement for Deposit
of Biological Material
5. ☐ Notice of Informal Patent Application
6. ☐ Interview Summary (PTO-413),
Paper No./Mail Date _____
7. ☒ Examiner's Amendment/Comment
8. ☒ Examiner's Statement of Reasons for Allowance
9. ☐ Other _____

EXAMINER'S AMENDMENT

1. An examiner's amendment to the record appears below. Should the changes and/or additions be unacceptable to applicant, an amendment may be filed as provided by 37 CFR 1.312. To ensure consideration of such an amendment, it MUST be submitted no later than the payment of the issue fee.

Authorization for this examiner's amendment was given in a telephone interview with Alan E. Schiavelli on November 2, 2006.

The application has been amended as follows:

- a. Claim 1, line 2, Examiner has deleted the limitation "the rail" and inserted --a rail--.
- b. Examiner has cancelled claims 9-15.
- c. Examiner has deleted the abstract and inserted --A metallic flat plate base of a metallic component of a ball linear guide includes a pair of plate portions integrally connected with each other through a first flat plate portion and being formed with dovetail grooves which constitute loaded ball grooves. A first synthetic resin component is disposed so as to cover the flat plate, the first synthetic resin component having one sides which connect to a third flat plate portion to form slits, also having a pair of unloaded ball holes, and further having grooves for forming direction changing U-shaped passages which connect the loaded ball grooves and the unloaded ball holes. A pair of second synthetic resin components is mounted on the first synthetic resin component and closes the unloaded ball holes and the direction changing U-shaped

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passages, the pair of second synthetic resin components having other sides for forming the slits.--

2. The following is an examiner's statement of reasons for allowance: The prior art does not teach the claimed combination of features as defined by claim 1. The prior art to Tonogai (USP 4,869,600) teaches a linear guide device having similar features as the instant device, wherein the linear guide is formed of a metallic flat plate base (20), a pair of first synthetic resin components (50) disposed so as to cover the flat plate base in an inserted state of the pair of plate portions into the pair of first synthetic resin components, and a pair of second synthetic resin components (70) mounted to a respective first synthetic resin component. However, the prior art fails to teach the limitation "a pair of second synthetic resin components mounted on the first synthetic resin component" as recited in claim 1. More clearly, the prior art teaches a pair of first synthetic resin components such that one second synthetic resin component is attached to one first synthetic resin component. The instant device is configured with only one first synthetic resin component such that two second synthetic resin components is mounted to the one first synthetic component. Accordingly, the claimed device structurally defines over the prior art and therefore is allowable.

Further, the claimed invention is not anticipated by the combination of prior art references listed on the Information Disclosure Sheet of January 18, 2007. The teachings of the prior art may show certain features of the claimed device, however it

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would not have been obvious to one in the art to combine the teachings as defined by the instant claims. Claims 1-8 are allowable.

Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."

Any inquiry concerning this communication or earlier communications from the examiner should be directed to William C. Joyce whose telephone number is (571) 272-7107. The examiner can normally be reached on Monday - Thursday 7:30-5:00.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Richard Ridley can be reached on (571) 272-6917. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

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Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

 2/5/07
William C. Joyce